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June 25, 2025

VIA ECF

Hon. Judge Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: Chakma, et al. v. Sushi Katsuei, Inc, et al.

Case No. 1:23-cv-07804-KPF

Dear Judge Failla:

This office represents Defendants in the above-referenced matter. I write to respectfully respond to Plaintiffs' letter dated June 24, 2025 (Dkt. No. 86), regarding discovery and sanctions. Defendants submit that they have demonstrated good faith compliance with their discovery obligations to the extent possible, and that Plaintiffs' request for sanctions is unwarranted and reflects a pattern of unreasonable demands.

Defendants acknowledge the Court's June 16, 2025, Order and the June 23, 2025, deadline. Immediately upon receiving the Order, Defendants' counsel proactively communicated with clients to ensure compliance. Recognizing the volume of handwritten notes and time required to compile, scan, and organize these materials, Defendants' counsel promptly requested a two-week extension on June 17, 2025, just one day after the Court's Order, to complete the production in good faith. Plaintiffs' counsel did not affirmatively object to the request but conditioned their consent on an unreasonable demand.

Contrary to Plaintiffs' mischaracterization, Defendants did not wait until "6:52 p.m." on the deadline day to request an extension. Rather, Defendants initiated the extension request nearly a week before the deadline and maintained consistent communication with Plaintiffs' counsel throughout this period. Plaintiffs' counsel, however, imposed unreasonable conditions on their consent since July 17, 2025, demanding confirmations beyond what Defendants' counsel could reasonably provide (e.g., confirming what her client would do) and making baseless threats of Court intervention despite our ongoing good-faith efforts to comply.

Despite Defendants' counsel confirming their ability to produce all documents by the requested July 7, 2025 deadline, Plaintiffs' counsel withheld consent and instead filed their motion for sanctions. This pattern of behavior suggests Plaintiffs' counsel is more interested in generating attorney's fees than facilitating discovery.

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Defendants have demonstrated substantial compliance with the Court's discovery orders. On May 29, 2025, Defendants produced over 700 pages of payroll records, including paystubs, and provided sworn certifications confirming the completion of production. Additionally, Defendants produced handwritten notes reflecting tip amounts up to September 2023. Throughout this process, Defendants have maintained transparent communication with Plaintiffs' counsel regarding the challenges associated with producing voluminous documents.

Defendants respectfully oppose Plaintiffs' request for sanctions under Fed. R. Civ. P. 37(a)(5)(A) and 37(b)(2)(C). The record clearly demonstrates Defendants' good faith efforts to comply with the Court's orders. Plaintiffs' allegations of non-compliance are unfounded, as Defendants have produced the majority of documents within their control and have confirmed their intention to produce any additional documents by July 7, 2025.

Accordingly, Defendants respectfully request that the Court deny Plaintiffs' motion for sanctions and grant Defendants a reasonable extension to produce any additional documents. Defendants remain committed to fulfilling their discovery obligations and cooperating with Plaintiffs to resolve this matter, despite the unreasonable demands and mischaracterizations by Plaintiffs' counsel.

We thank the Court for its time and continued attention to this matter.

Respectfully Submitted,

Seo Law Group, PLLC

By: /s/ Diana Seo
Diana Y. Seo, Esq.
Attorneys for Defendants

cc: All counsel of record (via ECF)